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January 31, 2008

Electronically Filed

Honorable Barbara S. Jones
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Morrow v. Comm'n on Judicial Conduct, et al.,
07 Civ. 10271 (BSJ) Pro Se

Dear Judge Jones:

This office represents defendants, the New York State Commission on Judicial Conduct, Robert H. Tembeckjian, Esq., Raoul Lionel Felder, Esq., Hon. Thomas A. Klonick, Stephen R. Coffey, Esq., Colleen C. DiPirro, Richard D. Emery, Esq., Paul B. Harding, Esq., Marvin E. Jacob, Esq., Hon. Jill Konviser, Hon. Karen K. Peters, and Hon. Terry Jane Ruderman, in the above-referenced action. I write to request an extension of time to and including March 18, 2008, for defendants to answer, move or otherwise plead with respect to the complaint. This extension is necessary because, due to medical issues, I have been working on a very limited part-time basis. Defendants' response to the complaint is currently due February 8, 2008.

There has been one previous request for an extension by letter dated December 10, 2007. At the time of the December 10 letter, defendants did not have Mr. Morrow's consent because they had not been able to contact him. Subsequently, Mr. Morrow consented to defendants' December 10 request. According to the docket sheet, the Court did not rule on defendants' December 10, 2007 request.¹

¹Because the case was not an ECF case at the time, the December 10, 2007 letter was delivered by hand to the Court.

Plaintiff, Mr. Morrow, objects to defendants' request. By e-mail to me dated January 31, 2008, Mr. Morrow stated his objections as follows:

You have had several months to answer my complaint or to move for dismissal. Your excuse involving a part time schedule appears to be disingenuous since the New York AG's Office has many attorneys available who can deal with the issues raised by my complaint. Please understand that this is a First Amendment case involving the right of petition and the right to know how our government functions. It has long been settled that even a 15 minute delay can be considered to cause irreparable injury in First Amendment cases.

I believe that you may simply be attempting to delay the final presentation of the issue to the Second Circuit.

Mr. Morrow also states that he objects to the use of a letter application to request an extension of time to respond to the complaint, and that applications made in this fashion are improper and violate the Federal Rules of Civil Procedure. He states that applications for adjournments should be done by formal notice of motion. Finally, he requests that I note his intent to file a formal objection to defendants' request for an adjournment.

Accordingly, defendants respectfully request that their time to answer, move or otherwise plead with respect to the complaint be extended to and including March 18, 2008.

Respectfully submitted,
/s/
Amy L. Abramowitz (AA 5169)
Assistant Attorney General

cc: Charles Morrow, via ECF and e-mail
Plaintiff, pro se